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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK and developments related thereto, from 16 October 2013 to 20 January 2014.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, the communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the statement by the President of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes continue to work closely with the Mission.

II. Key political developments

3. Owing to the historic European Union-facilitated agreements reached between Pristina and Belgrade, 2013 was a year of significant changes and substantial political progress with regard to Kosovo. During the reporting period, the parties continued substantial implementation of the 19 April First Agreement of Principles Governing the Normalization of Relations.

4. On 3 November, Kosovo held mayoral and municipal assembly elections. These included, in accordance with the 19 April agreement, elections in the four northern Kosovo municipalities (Leposaviq/Leposavić, North Mitrovica, Zubin Potok and Zveçan/Zvečan).

5. The elections were conducted by and large peacefully throughout Kosovo under a single legislative framework, with a significant proportion of municipalities reporting substantially higher turnout compared with previous elections held in

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2009. In total, 830,371 voters (46.31 per cent of those eligible) participated, an increase of some 121,009 voters, compared with the 2009 municipal elections. OSCE facilitated the conduct of the elections in the northern municipalities, as well as the voting by out-of-Kosovo voters residing in Serbia proper and Montenegro. The elections were monitored by 30,173 local and international observers, including 26,985 accredited observers from political entities; 2,479 observers from non-governmental organizations; and 464 international observers, including 99 from the European Union Election Observation Mission.

6. On 3 November, the first round of voting proceeded peacefully, with the exception of North Mitrovica, where unidentified masked persons forcefully entered two polling centres and ransacked the premises, despite the extensive security measures in place. In addition, a hand grenade was found near a third polling centre. As a result of the attacks, OSCE was forced to close the polling centres a few hours earlier than scheduled and evacuate its staff from northern Kosovo. Kosovo's Central Election Commission ordered a re-vote in the three affected centres in North Mitrovica, which was conducted on 17 November.

7. On 1 December, the second round of mayoral elections was held in 25 municipalities of Kosovo where no candidate had obtained an absolute majority, including a repeat vote at three polling stations in Zveçan/Zvečan, which was ordered as a result of procedural irregularities. The elections were held peacefully throughout most of Kosovo, with the minor exception of Pasjan/Pasjane in the Partesh/Parteš municipality, where ballot boxes were vandalized, resulting in the annulment of results and the organization of a repeat vote, which proceeded without incident on 15 December.

8. The election results reshaped the political balance among major Kosovo-Albanian political parties. While the ruling Democratic Party of Kosovo secured mayoral victories in 10 municipalities (down from the 14 it had previously held), the main opposition party, the Democratic League of Kosovo, made significant gains, winning mayoral seats in nine municipalities (up from seven). Among other parties, the Alliance for the Future of Kosovo won in three municipalities (down from six), and the New Kosovo Alliance won in two municipalities, including South Mitrovica. The Self-Determination Movement ("Vetëvendosje"), contesting municipal elections for the first time, won the mayoral seat in Pristina, Kosovo's largest municipality. Many local and international observers assessed the outcomes as a reflection of the widespread wish for change in the conduct of public affairs in Kosovo. The elections and results, together with the relatively high voter turnout, reflected a notable reduction in reports of alleged manipulation or voter fraud, as compared with previous elections This was helped by the strong and active presence of international and local election observers, as well as by strong messages to political leaders that such activities would not be tolerated by the international community. Nonetheless, the Kosovo police issued some 90 reports regarding violations related to the election process in the period between 3 November and 15 December 2013.

9. Major political shifts also took place in the six Kosovo-Serb majority municipalities south of the Ibër/Ibar River. The Kosovo Serb Independent Liberal Party, which had previously dominated in those municipalities and received support from the Kosovo institutions, won only one of them during the elections, while the leadership in the five others were won by the Belgrade-supported Serbian Civic Initiative.

10. In northern Kosovo, the elections resulted in the victory of the Serbian Civic Initiative candidates in all four municipalities. The elected municipal structures in northern Kosovo, together with Serb-majority municipalities south of the Ibër/Ibar River, are expected to form the basis for the future association/community of Serb municipalities to be established in accordance with the 19 April agreement. The newly elected mayors and municipal assemblies in the north were sworn in on 11 January, with the exception of the mayor-elect of North Mitrovica, who announced his decision not to take office and also resigned from his position as Deputy Director of the Office for Kosovo and Metohija of the Government of Serbia. A new mayoral election in the municipality of North Mitrovica is expected to be held on 23 February 2014.

11. Throughout the reporting period, the high-level European Union-facilitated dialogue and its technical working groups continued to meet in Brussels. Prime Ministers Ivica Dačić and Hashim Thaçi held three further meetings facilitated by the High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, on 6 November, 5 December and 13 December. The meeting on 6 November focused on the outcomes of the first round of the elections and on the implementation of the agreement on the integrated management of crossing points, enabling the launch, on 14 December, of new procedures for the collection of duties at two crossing points in northern Kosovo. The two sides also agreed on a mechanism for depositing the collected revenues into a special account in support of the budget for the north.

12. During the meetings held on 5 and 13 December, the two sides continued discussions on the modalities for the integration of Serbian Ministry of Interior personnel into the Kosovo police. At the end of the reporting period, some 80 former Serbian Ministry of Interior police officers had signed contracts with the Kosovo police, and more were in the process of doing so. During the meeting on 13 December, discussions focused on the judiciary, and work was undertaken to bridge the differences over the future court structure and staffing in northern Kosovo. The discussions continued in January.

13. On 16 December, the High Representative of the European Union reported to the European Union Ministers for Foreign Affairs on progress in the dialogue. At its meeting on 17 December, the General Affairs Council of the European Union supported the opening of accession talks with Serbia in January 2014 and noted the intention of the European Commission to conclude the negotiations on a stabilization and association agreement with Kosovo during 2014.

III. Northern Kosovo

14. The conduct of the election campaign and the vote in northern Kosovo faced multiple political and organizational challenges. Some local politicians, opposed to the 19 April agreement, organized a vigorous anti-participation campaign, which included several public rallies and protest marches, and the wide-scale distribution of posters and leaflets.

15. On 18 and 19 October, two violent incidents took place, which appeared specifically to target candidates, raising concerns over the potential for political violence during the campaign. Fortunately, no further such attacks were subsequently reported.

16. On 3 November, in addition to the incidents that occurred in North Mitrovica, as described in paragraph 6 above, two OSCE and one EULEX vehicles were stoned by a crowd in Zveçan/Zvečan. These criminal actions were followed by a string of accusations and recriminations on the ground, and drew widespread condemnation from the international community. On 6 November, after reviewing the situation, the Central Election Commission ordered a re-vote for the three affected centres in North Mitrovica. The re-vote, conducted on 17 November with enhanced security measures in place, concluded peacefully and without further incident. On 1 December, a re-vote, owing to procedural irregularities, was also held at three polling stations in Zveçan/Zvečan.

17. Following the re-vote and the successful conclusion of the second round of mayoral elections on 1 December, candidates of the Serbian Civic Initiative won in all four municipalities of northern Kosovo. Final counts indicated that the turnout, according to the current voter list, was lowest in Zveçan/Zvečan (20.47 per cent) and highest in Zubin Potok (33.26 per cent). Final turnout in North Mitrovica was 25.28 per cent, and in Leposaviq/Leposavić 25.24 per cent.

18. The establishment of the new municipal administrations encountered some delays owing to disagreements over the decrease in the number of municipal councillor seats in three of the four northern municipalities, prompting protests from the newly elected leaders in Zveçan/Zvečan, Zubin Potok and Leposaviq/Leposavić.

19. Some local politicians who remained opposed to participation in the election have continued to urge the public to resist the further steps envisaged in the 19 April agreement. At the same time, uncertainty has persisted among the population of northern Kosovo concerning the practical implications of further implementation, in particular regarding the competencies to be entrusted to the future association/community of Serb municipalities, which have remained the subject of continuing discussions in the Brussels dialogue.

IV. Security

20. The overall security situation throughout Kosovo remained generally calm during the reporting period. The overall crime rate showed a general declining trend, although some tensions flared in the pre-election and election periods. On 6 January, a demonstration of several hundred people in Gjakovë/Đakovica, initiated by an association of mothers of missing persons, prevented a group of Serbian internally displaced persons from attending an Orthodox Christmas service. A bus carrying the visitors was struck by stones thrown by some of the demonstrators. On 16 January, Dimitrije Janićijević, an elected member of the North Mitrovica municipal council, was murdered near his residence. Kosovo authorities, local Kosovo Serb representatives, the Government of Serbia and international actors condemned the incident and urged a swift investigation.

21. Efforts by the Kosovo police to develop partnerships with communities, based on the community policing strategy and action plan for 2012-2016, as well as the establishment of municipal community safety councils in most municipalities, accompanied a decrease in the total number of reported crimes. There was also a decline in the total number of reported incidents potentially affecting the Kosovo non-majority communities, compared with the previous reporting period.

V. Rule of law

22. UNMIK continued to monitor activities and exercise some responsibilities in the area of rule of law and maintained technical cooperation with the Kosovo Ministry of Justice and Ministry of Internal Affairs, as well as the Ministry of Justice of Serbia. UNMIK continued to facilitate requests for mutual legal assistance from countries that had not recognized Kosovo. UNMIK continued to provide document-certification services, both to Kosovo residents and at the request of non-recognizing States, primarily for the certification of civil status, and academic and pension documents. A total of 418 such documents were processed.

23. UNMIK continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL) and its member States. During the reporting period, UNMIK provided support to EULEX and Kosovo police in facilitating the investigation into a high-profile armed robbery case in Bahrain. At the 82nd session of its General Assembly, held in October 2013, INTERPOL gave a special presentation on the case, which provided an opportunity for the organization to brief national delegations on the respective roles of UNMIK, EULEX and the local authorities. During the reporting period, UNMIK received and acted upon eight requests for international wanted notices.

24. As at 15 January 2014, a total of 1,721 persons remained listed as missing from the Kosovo conflict. UNMIK continued to support and encourage progress on the issue of missing persons. It facilitated a visit to Pristina and Belgrade in November of representatives of Turkish Cypriot and Greek Cypriot associations of families of missing persons, which followed the November 2012 visit to Cyprus of representatives of Kosovo Albanian and Kosovo Serb associations of families of missing persons. The Cypriot joint delegation met and exchanged experiences with local and international authorities involved in resolving the issue of missing persons.

25. On 10 December 2013, based on information provided through the Belgrade-Pristina Working Group on Missing Persons, the Serbian authorities, with the support of EULEX and the presence of Kosovo authorities and UNMIK, began excavating a suspected mass grave site in the Rudnica quarry in the municipality of Raška, Serbia. Following the discovery of human remains at the site on 13 December 2013, the case was transferred to an investigating judge, who has sealed off the area, pending continuing investigation and a resumption of the excavations as soon as weather conditions permit.

VI. Returns and communities

26. The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Kosovo in October 2013 to assess progress in the implementation of the recommendations set forth during previous visits in 2005 and 2009, and to identify challenges to and prospects for returns. While noting some positive developments in returns-related legislation and policy development, the Special Rapporteur also called for improved action to address discrimination, high unemployment rates, poor access to education and the repossession of illegally occupied properties, which continued to have a negative impact on the return of displaced persons.

27. On 7 January, Prime Minister Thaçi, on the occasion of the Orthodox Christmas, visited two returnee families in Videjë/Vidanje village of Klinë/Klina municipality and expressed the commitment and obligation of the Kosovo authorities to facilitate the return of Kosovo Serb displaced persons to their homes and properties.

28. At the same time, the rate of voluntary returns continued to be relatively low. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), there were 307 voluntary individual minority returns to Kosovo between October and December 2013, including 83 Kosovo Serbs, 223 Kosovo Roma, Ashkali and Egyptians, and 1 Kosovo Bosniak. The total number of returns during the same period in 2012 was 279. Unresolved property issues, security concerns and poor economic prospects continued to be cited by the minority communities as the most persistent challenges to improving the rate of returns overall.

29. UNHCR recorded a total of 2,660 cases of forced individual repatriations during 2013, mostly from European countries, with a final total yet to be verified. In October, the Kosovo authorities approved a new regulation intended to improve the management of the reintegration programme and a new strategy on the reintegration of repatriated persons for 2014-2018.

VII. Cultural and religious heritage

30. During the reporting period, UNMIK continued to monitor the protection of religious and cultural heritage sites in Kosovo, in close cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO).

31. The Implementation and Monitoring Council, established in February 2013, regularly convened and discussed issues related to the protection of the religious and cultural heritage of the Serbian Orthodox Church and the Serbian community in Kosovo. On 16 December, the Council discussed the implementation of the Law on the Historic Centre of Prizren and the Law on the Village of Hoçë e Madhe/Velika Hoča, and residential construction around the Peć Patriarchate.

32. The Cultural Heritage Council in Prizren, which was fully constituted on 24 September 2013, failed to review five new building construction and restoration cases submitted to it, owing to the non-participation of some of its members. It also continued to suffer from limited financial and logistical support and political commitment from local authorities. It expressed concern over the degradation of cultural heritage sites located in the historic centre of the town and called upon the international community to encourage better prevention of illegal construction and damage to the protected religious and cultural heritage sites. As highlighted in the previous report, the Rahovec/Orahovac municipality has not yet begun implementing the Law on the Village of Hoçë e Madhe/Velika Hoča, despite continued pressure by the central authorities and the international community.

33. In October 2013, the Ministry of Culture, Youth and Sports approved an updated list of cultural heritage sites under temporary protection. The list included 1,428 cultural heritage sites, monuments and objects, which would be under temporary protection for one year. The new list included, for the first time, 200 movable cultural heritage assets, such as statues and artifacts. In 2011 and 2012, such lists contained 930 and 1,181 cultural heritage sites, respectively. Although the Ministry had issued the list of cultural heritage assets under temporary protection

for the third time, none of the sites and assets has yet been placed under permanent protection, as envisaged in the Law on Cultural Heritage.

VIII. Human rights

34. During her visit to Kosovo in October 2013, the newly appointed OSCE High Commissioner on National Minorities, Astrid Thors, highlighted the need to increase the opportunities for Kosovo communities to learn both official languages — Albanian and Serbian — and to strengthen the protection of linguistic rights. She also stressed that the Council of Europe Framework Convention for the Protection of National Minorities, the implementation of which UNMIK continues to monitor, should be a key instrument in advancing the protection and promotion of minority rights in Kosovo.

35. On 21 November, the Ombudsperson Institution in Kosovo presented its 2012 annual report, in which it reported a lack of progress by the Kosovo authorities in implementing the recommendations of the Institution, in particular with regard to culture, education, access and representation in the media for minority communities. It also underlined the need for strengthened cooperation with local and international organizations in promoting an environment in which the human rights of all were fully respected. It stressed that there had been insufficient progress in the returns of displaced persons and in the employment of members of minority communities in Kosovo's central and local institutions.

36. On 2 December, the Office of Good Governance within the Office of the Prime Minister organized a technical meeting to discuss the new draft Kosovo strategy on human rights (2014-2018). UNMIK, OSCE, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the European Office in Kosovo and the Council of Europe participated in the discussion, which resulted in, for example, a reform proposal to revitalize non-judicial human rights institutions in Kosovo. The proposal was also taken up within the framework of the European Union/Council of Europe joint project on enhancing human rights protection in Kosovo. Overall, the legislative framework for the protection and promotion of human and fundamental rights was assessed as insufficiently streamlined to ensure adequate implementation and enforcement.

37. A range of official, non-governmental and international activities to promote the rights of women also took place, with events marking the International Day for the Elimination of Violence Against Women, including the 16 Days of Activism Against Gender Violence. The focus of the 2013 campaign in Kosovo was on the role of youth in combating gender-based violence. Meanwhile, the Kosovo authorities took further measures to address gender-based violence through the continued implementation of the Kosovo Programme against Domestic Violence and Action Plan 2011-2014.

IX. Observations

38. Owing to the strong leadership and commitment of Belgrade and Pristina, which culminated in the landmark 19 April 2013 First Agreement of Principles Governing the Normalization of Relations, 2013 was a year of significant political progress. The year was marked by important progress in the implementation of the agreement and significant steps towards the normalization of relations. Together

with the fundamental progress made in the European Union-facilitated dialogue, both parties have also achieved substantial progress in their objective to foster a closer association with the European Union institutions. I welcome the decision of the European Council to begin the accession talks with Serbia in January 2014 and its support for the negotiations on a stabilization and association agreement with Kosovo. The ongoing direct discussions between Pristina and Belgrade were instrumental to that success and will remain important for ensuring that the progress achieved withstands challenges arising from differences of interpretation or tensions on the ground.

39. In 2014, efforts must continue to consolidate the critical achievements of the past year in the dialogue and along the path towards regional reconciliation, stability and prosperity. The successful holding of Kosovo local elections, including in the northern Kosovo municipalities, for the first time under a single legislative framework, has opened space for new political dynamics within Kosovo, as well as the beginning of a new phase of engagement between the parties towards full implementation of the 19 April agreement. Early progress is particularly important towards reaching agreement on the statute and establishment of the association/community of Serb municipalities.

40. The substantial progress achieved in the transition of the police structures in northern Kosovo should be matched by early progress on the related issue of the judiciary and other rule of law areas. I again call upon all sides to exercise maximum flexibility and show mutual accommodation in their approach to further implementation. The coming months should be a period in which consolidation of the progress achieved in 2013 should become the basis for tackling further difficult challenges.

41. The international community should continue to encourage and actively support the dialogue process. Such support should also be directed at assisting the newly elected local municipal assemblies and leaders, including in northern Kosovo, in demonstrating the peace dividend through the early progress of their constituencies. The association/community of Serb-majority municipalities, to be constituted in accordance with the 19 April agreement, should be used as a further channel for international support towards strengthening representative local governance. It is essential to ensure that the future benefits for all involved municipalities, south and north of the Ibër/Ibar River, are accrued through well-coordinated local and international efforts.

42. International presences in Kosovo should continue to work together to help the parties to build on such positive achievements. UNMIK will continue to enhance its support of the implementation of the agreements reached between Belgrade and Pristina. Strengthening formal and informal channels of communication among authorities at all levels and between all communities in Kosovo is a critical objective for the coming period. The resources of UNMIK, as well as of international partners on the ground, will continue to be fully applied toward supporting and facilitating such efforts.

43. I wish to thank my Special Representative, Farid Zarif, for his strong and effective leadership of UNMIK and all the staff of UNMIK for their dedication in carrying forward the responsibilities of the Mission. I extend my gratitude to our long-standing partners on the ground, including the European Union, EULEX, KFOR and OSCE, and members of the United Nations family in Kosovo, for their contribution to peace and stability and their close cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

(covering the period from 16 October 2013 to 15 January 2014)

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to undertake monitoring, mentoring and advising activities in the area of rule of law and to implement its executive functions according to its mandate. In terms of the agreement reached within the European Union-facilitated dialogue on the normalization of relations between Pristina and Belgrade, EULEX continued to facilitate its implementation in the rule of law sector. In that context, the integration of former Ministry of Interior members into the Kosovo police and revenue collection started without major problems. One of the priorities of EULEX remains the investigation into the murder of staff member Audrius Šenavičius on 19 September. During the election period, EULEX coordinated security planning among EULEX, the Kosovo Force (KFOR), the Kosovo police and the Organization for Security and Cooperation in Europe.

An indictment was filed in the Drenica group war crimes case, which involved 15 defendants, including the Kosovo diplomatic representative to Albania, Sylejman Selimi, and the Mayor of Skenderaj/Srbica, Sami Lushtaku. Several indictments and verdicts were pronounced in organized crime cases. The EULEX Special Investigative Task Force continued to work pursuant to its mandate to investigate allegations contained in the report of the Council of Europe Special Rapporteur, Dick Marty, on illicit trafficking in human organs.

2. EULEX activities October 2013 to January 2014

War crimes

On 8 November, an international prosecutor filed an indictment against 15 defendants at the Mitrovica Basic Court in the Drenica group case. The defendants are charged with war crimes against the civilian population, including torture, mistreatment of prisoners and murder, allegedly committed in a Kosovo Liberation Army detention centre in Likoc/Likovac in 1998. On 6 December, the initial hearing started at the Mitrovica Basic Court. On 18 December, a panel of one local and two international judges granted the appeal of Sami Lushtaku for a temporary release in order to take the oath as mayor in front of the Municipal Assembly of Skenderaj/Srbica. He did so on 3 January.

On 13 November, an international prosecutor filed an indictment against four defendants at the Mitrovica Basic Court. The defendants are charged with war crimes against the civilian population, including the torture and rape of two Albanian civilians, allegedly committed in Vaganicë/Vaganica and Likoc/Likovac in

1998/99. Two of the defendants are also part of the Drenica group case. On 27 November, the initial hearing started at Mitrovica Basic Court.

On 20 December, the President of the Assembly of Kosovo, Jakup Krasniqi, was interviewed by an international prosecutor on the allegations by two protected witnesses of violations of bodily integrity during the Kosovo conflict. The investigation is ongoing.

On 24 December, a EULEX presiding judge extended detention on remand for Ivan Radivojević (also known as Ivica) for two months. Mr. Radivojević was allegedly a member of a paramilitary group, which in March 1999 committed war crimes against Albanian civilians.

Organized crime and corruption

On 10 October, an international judge ordered detention on remand for the defendants Menderes Sinani, Besim Shabani, Burim Veseli and Sami Matoshi. They are charged with such offences as abuse of official position, trading in influence and unauthorized possession of weapons. At the time of the alleged offences, the defendants Menderes Sinani and Besim Shabani were officers of the Kosovo police.

Detention on remand was ordered on 11 October for three defendants suspected of taking part in armed robberies in Bahrain in September 2013. The suspects were arrested on 8 October by Kosovo police on charges of aggravated coercion and assault, causing grievous bodily harm, and direct participation in an organized group that committed an aggravated robbery. On 18 November, detention on remand was ordered by an international judge for another suspect in the case, who was arrested on 16 November. On 9 December, at the request of the EULEX Special Prosecution Office of Kosovo, Albanian authorities extradited a fifth suspect to Kosovo, who was put in detention on remand on 11 December.

On 17 October, a mixed panel of EULEX and local judges sentenced 10 people to a combined total of 59 years and nine months of imprisonment for terrorism and the organization of and/or participation in a terrorist group related to an armed attack on a Serbian check point near Bujanovac in 2012.

On 28 October, EULEX police, assisted by Kosovo police, carried out search operations at two Apex gaming (also known as "Play and Win") halls/casinos and five residential premises in the regions of Pristina and Pejë/Peć. Three persons, suspected of organized crime in conjunction with extortion, were arrested based on an order from the EULEX Special Prosecution Office of Kosovo. On 29 October, an international judge at Pristina Basic Court ordered a one month detention on remand for the three suspects.

On 29 October, an international judge granted the request of an international prosecutor to extend the pretrial detention for Žarko Veselinović for two months. Further evidence was presented related to the charge of attempted murder of two police officers. On 20 November, an international judge at the Mitrovica Basic Court found Žarko Veselinović guilty of unauthorized ownership, control and possession or use of a weapon and sentenced him to nine months of imprisonment, suspended for two years. The above-mentioned charge was separated from the charge of attempted aggravated murder, for which an indictment has been filed.

On 30 October, a mixed panel of local and international judges at Prizren Basic Court found Ardian Bytyqi guilty of smuggling of migrants and sentenced him to three years' imprisonment.

On 7 November, an international prosecutor filed an indictment against nine defendants in the "passport case" at Pristina Basic Court. The case is related to the embezzling of public funds in the context of a contract for biometric passports at the Ministry of Internal Affairs. The charges against the defendants included organized crime and money laundering.

The case is being handled by a mixed team, comprising a local prosecutor and an international prosecutor. At the initial hearing on 21 November, all nine defendants pleaded not guilty to all charges. Mutual legal assistance requests were issued to several European Union countries for disclosure of financial data.

On 20 November, an international prosecutor of the EULEX Special Prosecution Office of Kosovo filed an indictment against one defendant at Prizren Basic Court. The defendant was charged with organized crime and unauthorized purchase, possession, distribution and sale of dangerous narcotic drugs. The indictment followed the arrest of the defendant by Kosovo police on 6 November, in an operation supervised by the international prosecutor. The defendant is currently under house arrest on the order of an international judge.

On 21 November, a mixed panel of local and international judges at Gjilan/Gnjilane Basic Court acquitted Begzad Sinani (the former Mayor of Kamenicë/Kosovska Kamenica) and Hasan Keqmezi of the charge of abusing official position or authority.

On 29 November, a panel comprising two local judges and one international judge at Pristina Basic Court sentenced Ylber Jashanica to 11 years imprisonment for unauthorized, purchase, possession, distribution and sale of dangerous narcotic drugs and psychotropic substances.

On 9 December, an international judge at Gjilan/Gnjilane Basic Court sentenced three defendants to periods of one and a half or two years of imprisonment for attempted smuggling of migrants. A fourth defendant was acquitted.

On 10 December, EULEX and Kosovo police, in cooperation with the European Police Office (Europol) and the Hungarian authorities, arrested five people suspected of smuggling migrants and organized crime. This was the culmination of a seven-month investigation into the smuggling of migrants from Kosovo into Hungary, and beyond into the European Union. On 12 December, an international judge ordered a one-month pretrial detention for the defendants.

On 12 December, an international prosecutor of the EULEX Special Prosecution Office of Kosovo filed an indictment against nine defendants for the smuggling of migrants as part of a transnational organized criminal group. The defendants were arrested in December 2012. It was alleged that the group smuggled people from Turkey and the Syrian Arab Republic to the European Union.

On 16 December, the EULEX presiding judge at Pristina Basic Court extended detention on remand for Arben Veseli for two months. Mr. Veseli is charged with unauthorized purchase, possession, distribution and sale of dangerous narcotic drugs and psychotropic substances and organized crime.

On 17 December, upon the request of a EULEX prosecutor and the State Prosecutor, a local pretrial judge at Ferizaj/Uroševac Basic Court ordered the search of a house of one suspect allegedly involved in a criminal group suspected of facilitating prostitution and money laundering. During the search on 18 December, Kosovo police confiscated a large number of weapons, and ammunition, and arrested two people.

On 25 December, a EULEX pretrial judge at Pristina Basic Court rejected the application of a local prosecutor from the EULEX Special Prosecution Office of Kosovo for a one-month detention on remand for eight individuals in the *Hasip Kiki et al* case, including two Kosovo police officers, suspected of organized crime, smuggling of goods and abuse of official position, and of accepting and giving bribes.

On 27 December, an international prosecutor from the basic prosecution office at Ferizaj/Uroševac Basic Court filed an indictment against seven defendants accused, inter alia, of abusing official position or authority. Two of the defendants are Kosovo police officers.

On 3 January, Enver Sekiraqa was re-arrested on the suspicion of murdering a Kosovo police officer in August 2007. The high-profile case, investigated by the EULEX Special Prosecution Office of Kosovo, concerns the murder of Kosovo police officer Triumf Riza in August 2007. Mr. Sekiraqa is also under investigation for aggravated murder in co-perpetration, rape, extortion and grievous bodily harm.

On 4 January, an international judge extended the detention on remand for Naser Kelmendi, who was arrested in May 2013 and is being investigated for organized crime, murder and drug-trafficking. He has been investigated by the authorities in Bosnia and Herzegovina for those same offences.

Other cases

On 9 October, an international prosecutor filed an indictment against Bejtullah Sokoli, Luan Qerkini, Bekim Suma, Fadil Sadiku, Mehmet Mehmeti, Nysret Cena and Afet Dalloshi. The group, together with former Kosovo police officers Besnik Hasani and Shpend Qerimi, are allegedly responsible for preparing and executing an explosion, thought to be in revenge for murdered colleagues. The explosion killed two persons and wounded many more at Bill Clinton Avenue in 2007, in the so-called Sekiraqa case.

On 18 October, a panel comprising one local and two international judges sentenced Hilmi Krasniqi to 22 years imprisonment for aggravated murder in an incident that took place in Zllatar/Zlatar on 17 February 2009.

On 8 November, a detention hearing was held following a police operation in which two individuals were arrested on suspicion of intimidating a witness during criminal proceedings and for obstruction of evidence in the House case (involving 16 defendants). One of the arrested individuals is a former president of the Municipal Court of Pristina. On 25 November, Kosovo police arrested three additional individuals who were ordered detention on remand for one month on 27 November.

On 11 November, Kosovo police arrested six persons, suspected of smuggling weapons and committing other criminal acts. Two of the suspects are also accused

of being involved in an attack in Pristina on 3 November against two citizens of the United States of America. The case is being handled by two international prosecutors from the EULEX Special Prosecution Office of Kosovo.

On 18 November, a panel of three international judges at the Mitrovica Basic Court acquitted Sabri Muli, and Muharrem and Besim Muzaqi of the charges of attempted aggravated murder.

On 4 December, a panel of judges from Prizren Basic Court sentenced Nezir Kryeziu to 11 years of imprisonment for murder and attempted murder. The case was investigated by an international prosecutor and a local prosecutor from the Basic Prosecution Office, in conjunction with KP.

On 12 December, an international prosecutor from the basic prosecution office filed an indictment in Pristina Basic Court against 11 members of the Kosovo police special operations unit (formerly "ROSU"). The defendants are charged with mistreatment during the exercise of public duty or public authorization in relation to alleged violence committed against 10 Kosovo Serb detainees on 8 January 2013.

On 10 January, EULEX police arrested Lirim Jakupi, a former member of the Kosovo Liberation Army for Presevo, Medvedja and Bujanovc (UÇPMB), only minutes after his release from Dubrava prison where he had served a sentence for kidnapping. He was arrested on suspicion of attempted aggravated murder of police officers as well as other associated offences, including attacking official persons performing official duties, causing grievous bodily harm. The offences are alleged to have been committed in the former Yugoslav Republic of Macedonia towards the end of 2004. He is currently in detention on remand.

Special Investigative Task Force

The criminal investigation conducted by the Special Investigative Task Force into allegations of abduction, detention, mistreatment and killings, as well as organ harvesting and trafficking, in Kosovo continued apace during the reporting period.[a]

Engagement with injured parties, victim advocacy groups and individuals in order to gather information relevant to the investigation is ongoing. Solid progress in investigative and operational activities has been made, while cooperation with judicial and law-enforcement authorities in the region and beyond remains strong.

Lead Prosecutor Clint Williamson continued his engagement with relevant Governments in the European Union and beyond to ensure that the Task Force would be able to complete an investigation that is independent, impartial and professional. During November, Mr. Williamson and members of his office travelled to Germany, the United Kingdom of Great Britain and Northern Ireland, the United States and the Netherlands to hold discussions on a range of issues related to the Task Force's work with various governmental agencies. Throughout the reporting period engagement also continued with officials at the most senior levels of the European Union in order to ensure continuing support for the Task Force.

[a] The allegations in question are contained in the January 2011 report by the Council of Europe Special Rapporteur, Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo".

In preparation for the conclusion of the investigation, the Task Force continues to work with the appropriate European Union authorities on establishing a viable adjudicative mechanism in the event that the investigation results in an indictment.

Property rights

In the area of civil justice, EULEX commissioners of the Kosovo Property Claims Commission continued their work. During the reporting period, 1,237 cases (mainly inter-ethnic property claims) were adjudicated. Of the 42,696 claims lodged in total with the Kosovo Property Agency, only 2,459 are pending a decision.

From 16 October to 15 January, the Kosovo Property Agency Appeals Panel in the Supreme Court received 80 new appeals and adjudicated 34 appeals.

During the reporting period, the Special Chamber of the Supreme Court rendered 179 decisions in trial panel cases. The Special Chamber also closed 238 worker list cases and finalized 54 cases at the level of the Kosovo Property Agency Appeals Panel.

Legislation and other legal issues

On 14 November, the Assembly of Kosovo adopted in the first reading two important laws regarding Kosovo's anti-corruption agenda: the draft Law on Amending and Supplementing the Law on Prevention of Conflict of Interest in Exercise of Public Function and the draft Law on Amending and Supplementing the Law on Declaration, Origin and Control of the Property of Senior Public Officials and Declaration, Origin and Control of Gifts for all Official Persons.

On 5 December, the Assembly of Kosovo adopted in the first reading the draft Law on Amending and Supplementing the Law on Public Procurement. The aim of the draft law is to support local companies in tendering procedures.

On 26 December, the Assembly adopted the Budget Law for 2014.

With regard to the procedures on mutual legal assistance, both parties (Belgrade and Pristina) continued to send requests through EULEX. During the reporting period, 137 requests were sent from Kosovo to Serbia. Serbia sent 19 requests to Kosovo. Kosovo responded to six requests from Serbia, while Serbia has not yet answered any requests from Kosovo.

Other key issues

On 14 October, EULEX recovered the remains of at least four persons believed to have been killed during the conflict in Kosovo near the village of Rastavicë/Rastović in Deçan/Dečani.

On 12 November, the EULEX Department of Forensic Medicine started a site assessment at lake Livoc/Livoq in the Gjilan/Gnjilane area. The assessment was suspended after a hand grenade was found at the bottom of the lake.

A site assessment in the Skenderaj/Srbica area resumed on 5 December after unexploded ordnance found at the site was removed.

On 11 December, local experts and EULEX experts from the Department of Forensic Medicine initiated preparations for a site assessment at a suspected mass grave site in Raška, Serbia. Excavations were delayed by a day, owing to members

of the Serbian party who failed to provide the agreed assistance. On 13 December, Serbian authorities, EULEX and local experts from the local Department of Forensic Medicine discovered human remains during the site assessment at the Rudnica quarry in the municipality of Raška. In accordance with Serbian law, the work was suspended but will resume as soon as weather conditions permit.

The north

EULEX advised Kosovo police in respect of security planning for elections day with a focus on the north. The activities included liaising with external actors such as KFOR and OSCE, and mentoring, monitoring and advising Kosovo police both at the central and regional headquarters level regarding the elections. In anticipation of the sensitive pre-election period, EULEX organized several joint EULEX, Kosovo police and KFOR planning exercises for the purposes of increasing communication and coordination among all security actors in northern Kosovo.

As a consequence of several security incidents associated with the elections, EULEX opened three new investigations, stepped up the patrols and conducted security assessments on a weekly basis. Shortly after increased patrolling activity started, the series of explosions in Mitrovica stopped.

The investigation into the shooting death of EULEX staff member Audrius Šenavičius remains a top priority for the EULEX Special Prosecution Office of Kosovo. The Office is being supported by Task Force Mitrovica, and the investigation is being carried out by a mixed team of EULEX and Kosovo police investigators under the supervision of international prosecutors. The team continues to receive solid support from both Pristina and Belgrade. Task Force Mitrovica investigators and Kosovo police North have also been working on two separate cases of assault perpetrated against Krstimir Pantić and the family of Oliver Ivanović, both of which occurred prior to the elections on 3 November.

Dialogue implementation

With regard to the 19 April agreement, the collection of customs revenue at Rudnica/Jainjë and Bërnjak/Brnjak crossing points began on 14 December. EULEX supported and advised Kosovo Customs by joining Kosovo Customs staff in the designated control room at the National Centre for Border Management and at Rudnica/Jainjë (former Gate 1) with regard to facilitating the clearance of a number of trucks bound for northern Kosovo. EULEX continues to provide technical advice and support for the ongoing process.

In the context of the implementation of the agreement on the integrated management of crossing points, on 6 November the implementation group discussed the location of the permanent crossing points, the responsibilities of both parties regarding the operation, the maintenance of the interim crossing points and the implementation of the SEED link. Following the second meeting of the working group on the implementation of the agreement, held on 20 November, a proposal for the location of the new permanent crossing points was submitted to both parties. On 25 November, the two Customs Administrations initiated an exchange of information through the SEED link. This represented a significant step forward in the context of the agreement. The working group also convened in Brussels on 5 December.

The integration of former Ministry of Interior members into the Kosovo police marked another key accomplishment. Approximately 80 officers received basic orientation training from EULEX police during the reporting period.

During the reporting period, spot checks by EULEX of all former Ministry of Interior premises in northern Kosovo confirmed that all stations were still closed. On 22 November, EULEX visited the former Serbian-run Mitrovica Basic Court and the Serbian-run High Court in Zvečan/Zveçan. The stay of new criminal cases after 15 July was reconfirmed.

Implementing the Belgrade-Pristina dialogue agreement on civil registry books progressed well. During the reporting period, EULEX certified 2,418 civil registry books over three certification sessions. A total of 10,913 civil registry books have been certified (out of an estimated total of 12,036), and 10,530 have been handed over to the Kosovo authorities.

Approved by Bernd Borchardt
Head of Mission

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 January 2014)

Country	*Number*
Germany	1
Hungary	1
Pakistan	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**6**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 January 2014)

Country	*Number*
Czech Republic	1
Norway	1
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**

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Report of the Secretary-General concerning the credentials of the alternate representative of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 27 January 2014 from the Permanent Representative of China to the United Nations stating that Mr. Li Yongsheng has been appointed alternate representative of China on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

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